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ABSTRACT

This guide offers specific recommendations to Texas school districts concerning the implementation of least restrictive environment (LRE) requirements for students with disabilities. Suggestions are grouped according to six issues recommended for consideration in the decision making process: These are: (1) the primacy of the individual student's education needs; (2) provision of special education services in as integrated a manner as possible; (3) identification of those services which need to be provided in a more restrictive setting; (4) provision for integration with nonhandicapped students in nonacademic and extracurricular activities; (5) consideration of possible harmful effects of a projected placement; and (6) placement, if possible, in the school which the student would attend if not disabled. Suggestions for dealing with four additional concerns are addressed to administrators. These cover organizational support (administrative assistance, instructional leadership, sufficient resources); the service delivery system and management responsibility; a strategy for systems change; and acceptance of the LRE concept by parents and the community. (DB)

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All Children Can Learn Together

Suggestions for Least Restrictive Environment

December 1991
Special Education Programs
Texas Education Agency

EC 301304

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Suggestions for Least Restrictive Environment

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Federal law[1] gives every child with handicaps the right to a free and appropriate public education. States and local education agencies are to provide this education in the least restrictive environment (LRE), so that students with handicaps are taught with their peers without handicaps to the maximum extent appropriate.

In addition, Texas educational reforms have encouraged school districts to teach special education students in the same curriculum as other students, with modifications if necessary. House Bill 72 of the Special Session of the 68th Texas Legislature requires that all students with learning disabilities be considered for placement in other programs before being referred to special education. The State Board of Education requires the same consideration for all students with handicaps. The 70th Texas Legislature in Senate Concurrent Resolution 81 reaffirms the state's commitment to serving students with disabilities in programs with nondisabled students. The resolution states that students with disabilities will have a better chance for productive lives if they both learn and play alongside their peers without disabilities. It directs the Central Education Agency to encourage school districts to provide programs in integrated settings for students with disabilities.

The EHA and these reforms present an unprecedented opportunity for educators, parents, and community members to plan, implement, and evaluate integrated educational programs. The concept of LRE, however, is multifaceted and has far-reaching implications for state and local education agencies. In their simplest form, current regulations require that placement decisions for students with handicaps be made on an individual basis. But, these regulations do not address the complex factors that educators must consider to successfully integrate students into less restrictive settings.

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[1]Public Law 101-476, Individuals with Disabilities Education Act (formerly Public Law 94-142, Education for All Handicapped Children Act)

The first section of this paper addresses these factors by outlining suggestions for improving educational practices. The second section poses four additional questions for administrators involved in implementing LRE.

The suggestions discussed in the first section are related to six questions which are important to consider in determining whether students are being educated in the LRE. Federal and state requirements and criteria for these same six questions are outlined in a companion paper published by the Texas Education Agency entitled, *All Children Can Learn Together: Guidelines for Least Restrictive Environment*. References to the *Guidelines* document appear in the margins throughout this publication.

Questions and Suggestions to Consider in Determining the Least Restrictive Environment

1. ***Is the placement based on the educational needs of the individual student?*** See Question 1 *Guidelines*

The admission, review, and dismissal (ARD) committee is responsible for identifying the student's needs and the appropriate placement in which these needs can be met. The ARD committee determines student needs based on specific data required by State Board of Education rule. Additional information such as testing, past performance on school work, and formal or informal observations, reports, and documentation may also be considered.

- The district must have available or be able to develop a variety of instructional options and a continuum of services. As the instructional leader, the principal will want to be sure that the ARD committee knows about these options and services in order to make appropriate placement decisions. This will increase the committee's ability to meet the needs of the student. Service options which may help a student succeed in the regular classroom are:
  - content mastery class;
  - consultant services to regular teachers;
  - behavior management plans;
  - counseling;
  - related services;
  - new instructional arrangements; and
  - when appropriate, the provision of aides.

- If certain non-educational services are not currently available to meet the needs of a particular student, the district might make referrals to other agencies which provide that service. For example, if a student with autism needs respite care for the family to better cope and provide a more consistent home program, the district could coordinate with other agencies for the provision of this service.

- Entry and exit criteria for particular instructional settings can help ARD committees establish goals that the student must meet to move from one setting to the next. For example, if an ARD committee decides that a student should be placed on a separate campus because of a specific inappropriate behavior that requires the restrictive placement, the individual educational plan (IEP) would include goals and objectives that address that behavior. As the student progresses toward the goal and objectives, he/she would receive part of the instruction on the separate campus and part on the regular campus according to the established criteria.
  - Careful measurement of student progress, a correlate of effective schools, is a critical component. Some programs use point systems, stages, or levels of behavior to indicate student progress. These types of systems can be helpful to ARD committees because records chart student progress over the school year and provide members with valuable planning data.

- Because placement is based on the IEP, if the IEP changes, the student's placement can also change. After reviewing the IEP, the ARD committee should ask, "Can this student now move to a less restrictive setting?"

See Question 2 *Guidelines*

2. ***Are special education services provided in such a way as to promote the education of students with handicaps with those who are nonhandicapped to the maximum extent appropriate?***

Research indicates that an effective school is one with an instructional focus and high expectations that all children can learn. The State Board of Education reflects this philosophy in *State Board of Education Rules for Curriculum* (Chapter 75). The regular classroom teacher is expected to modify methods, materials, and pacing so that students benefit from instruction in the well-balanced curriculum within the regular classroom. The way in which these modifications are provided is left to the district's discretion. Such things as class size could be taken into account; a teacher with a large class might have trouble finding the time to provide the modifications needed for individual students. Thus, placement in a smaller regular class or the provision of the services of an aide would be appropriate for a student who needs modification to the regular education curriculum.

The ARD committee decides the specific modifications and/or supplementary aids and services which should be provided to keep the student with handicaps in the regular classroom. These decisions should be based on information gathered from as many sources as possible. Knowing about the student's performance in other regular classes will help the ARD committee determine what types of modifications he or she may need. If a student is not doing well in a particular class, the ARD committee should try to find out why. Knowing about the student's experiences outside school, such as participation in Sunday school, summer camp, or family activities, can also help the ARD committee. If the student has been successful in these types of activities, the ARD committee should know what kinds of accommodations, if any, helped the student achieve that success.

The district must be able to defend the degree to which aids and services have been made available. The question of whether a district must provide an instructional aide to help one student in a regular classroom comes up frequently. It is unlikely that a district would have to do that, but schedules could be rearranged so that an aide serves five or six students in a class or helps a particular student for part of the day.

In most cases, modifications which can be provided in the regular classroom without special education support are the effective teaching strategies currently used by many regular education teachers. Campus administrators can reward these teachers and provide incentives for all teachers to implement needed modifications through the Texas Teacher Appraisal System. There are indicators under each domain of the appraisal instrument that, when observed, could earn points for teachers who make special modifications for students with handicaps in their regular classrooms.

Modifications that the appraiser might observe include, but are not limited to:

- highlighting important points on chalkboard, or overhead projector;
- using manipulatives, models, maps, charts, and other concrete representations of instructional objectives to help students visualize and understand the learning objective;
- allowing extended time for completing assignments;
- shortening assignments or breaking assignments into smaller, more concrete steps;
- providing students with advance organizers, such as outlines, to help them take notes;
- allowing students to share notes with each other or help each other take accurate notes;
- allowing students to use a tape recorder, both for taking notes and for giving verbal responses to tests or other assignments;
- providing previews and reviews of relevant vocabulary and concepts;
- allowing students to use alternate texts or materials which have lower reading levels;
- allowing oral tests;
- reducing paper/pencil tasks;
- providing an assignment notebook to help students organize;
- providing seating that will accommodate the handicap;
- allowing students more frequent breaks; and
- changing the pace of learning to allow for individual differences.

Some students need more help than a regular classroom teacher alone can supply. In these cases, supplementary aids and services can be provided by or with the assistance of special educators to support regular classroom instruction. These aids and services include, but are not limited to:

- itinerant and consulting teachers helping regular classroom teachers by providing:
  - taped texts;
  - highlighted texts;
  - study sheets;
  - repeated review/drill;
  - calculators;
  - sign language interpreter;
  - defined behavioral limits;
  - cooling off period
  - positive reinforcers;
  - behavior check cards; and
  - special equipment;

- content mastery;

- team teaching;

- training and assistance to the regular classroom teacher which could include:
  - consulting with special education personnel including instructional supervisor, diagnostician, psychologist, or teacher;
  - modeling behaviors for working with students with handicaps;
  - demonstrating instructional techniques;
  - helping produce specially designed instructional materials;
  - helping design special assessment/testing techniques;
  - conducting workshops or inservice training;
  - visiting model programs in other school districts;
  - providing assistance from paraprofessionals;
  - providing background information on handicaps; and
  - providing special behavior management techniques;

- specialized materials and equipment to assist the student;

- physical adaptations to materials, equipment, and the classroom; and

- resource room. For purposes of integration, the resource room is considered an extension of or a supplementary aid to the regular classroom. The federal definition of supplementary services includes the resource room. [34 CFR 300.551(b)(2)]

When considering removing a student from the regular classroom or campus, ARD committee members should remember that academic instruction is not the only goal of schooling. The ARD committee should determine the potential benefits of normal role models for language, motor, and social development. For example, if a goal is to develop language, the student will have a hard time achieving it if none of the other students in the classroom talk or if they have very poor language. Similarly, when behavior is a problem, it does not help the student if his/her behavior role models are peers with the same behavior problems the student has.

Learning appropriate social skills is another important aspect of a student's overall educational experience. For a student with handicaps, the regular classroom may be the best setting for accomplishing this goal, even if cognitive skills progress at a slower rate than the other students in the class.

The positive benefits that a student stands to gain from the experience of a regular classroom or campus should give ARD committees cause to consider comparable services to keep a student in the regular environment. For example, a student's IEP requires water therapy in a heated pool, but the regular campus doesn't have a heated pool. Transporting the student to a heated pool would be so time-consuming that the benefits of being on the regular campus would be outweighted by the time lost for other instructional programs contained in the IEP. Other therapies that can be provided on the regular campus, such as occupational therapy or physical therapy, should be considered by the ARD committee as possible appropriate substitutes which could enable the student to remain on the campus.

Finally, token efforts to keep the student in the regular classroom are not sufficient. For example, a student should not be placed in a regular classroom to "sink or swim." The placement should include the reasonable support (modifications, supplementary aids, and services) the student needs to succeed. Another example is the length of time allowed for a regular class placement to be tried. Six weeks may not be long enough for the student to adjust.

The major questions the ARD committee should ask in making this determination are: "What are the student's main goals and what will it take to meet them?"

Only after modifications and supplementary aids and services have been tried, should ARD committees consider removing students from the regular classroom or resource room.

See Question 3 *Guidelines*

3. ***What services that cannot be provided in a regular classroom, on a regular campus, or in a less restrictive setting need to be provided to the student with handicaps in a more restrictive setting because of the nature and severity of the handicapping condition?***

Removal from the regular classroom or resource room (to self-contained classroom)

The ARD committee should recommend placing a student in the regular classroom the student would otherwise attend, unless it determines that:

(a) the recommended curriculum or instruction cannot be successfully implemented with supplementary aids and services if students without handicaps are present in the classroom:

—OR—

(b) the student has been placed in the regular class with an appropriate IEP, instructional modifications, and supplementary aids and services and has not achieved satisfactorily. Achievement would be demonstrated by progressing toward the accomplishment of IEP goals and objectives, and/or advancing through a curriculum.

There are several reasons why the regular classroom may not be the most appropriate for a student. One reason is that the curriculum cannot be implemented without eliminating essential components. A student who cannot read or comprehend words with more than two syllables and therefore needs all reading texts modified could not achieve the goals and objectives on his/her IEP in reading comprehension in an English literature class without eliminating essential aspects of the curriculum.

A behavior management plan that requires the instructor to respond to inappropriate behavior by ignoring it may make it impossible for other students to benefit from instruction or a nonacademic activity, and no alternative behavior management program would be effective.

When the ARD committee must remove a student to a special class, it should outline goals and objectives for returning the student to the regular classroom. Removing a student for a valid reason, but not providing services designed to enable him/her to return to the regular classroom, is not sound professional practice.

For example, a student may have been placed in resource class because that student is highly distractible in the regular classroom. The resource class teacher should not only involve the student with the curriculum, but should also offer instruction in how to deal with the distractions of the regular classroom so that the student can return. In another case, a student may have been removed because the student's inappropriate behavior caused excessive teasing by other students. The ARD committee has an obligation to provide goals and objectives to help that student change behavior. At the same time, the regular classroom teacher should encourage other students to demonstrate more acceptable behaviors as well.

Finally, if removal from the regular classroom is necessary, the ARD committee must document the specific modifications and supplementary aids and services considered or tried to support the student in the regular classroom or resource room and why they were rejected.

Maintenance in a self-contained classroom on a regular campus

If a student placed in a self-contained classroom on a regular campus needs additional support, there are aids and services that can be provided to keep the student on the regular campus.

Aids and services provided by special education staff on a regular campus may include, but are not limited to:

- providing interpreter services and related services such as physical therapy, occupational therapy, counseling, and transportation;
- adapting the physical environment of the instructional setting within the school building;
- recommending reassignment of personnel and space, including classroom teachers and students;
- training teachers and support personnel;
- training for service providers and students in the regular school building to show them how to educate or interact more successfully with the student with handicaps;
- providing access to physical education and specialized facilities and equipment on the regular campus;
- providing special self-contained classes;
- providing special curriculum; and
- developing behavior management plans.

Only after supplementary aids and services such as these have been tried on a regular campus should ARD committees consider removing students to a separate campus.

Removal from a regular campus

The ARD committee should recommend placing a student on the regular campus which the student would otherwise attend, unless it determines that:

(a) the recommended curriculum and instruction cannot be successfully implemented with supplementary aids and services if students without handicaps are present on the campus, and no other potentially effective supplementary aids and services can be identified and provided on that campus;

—OR—

(b) the student has been placed on a regular campus with an appropriate IEP, instructional modifications, and supplementary aids and services and has not achieved satisfactorily. Achievement would be demonstrated by progressing toward the accomplishment of IEP goals and objectives and/or advancing through the curriculum.

If placement other than on a regular campus is recommended, the ARD committee documents the specific supplementary aids and services considered or tried to support the student on the regular campus and why they were rejected.

It is not intended to imply that students should never be removed from a regular campus. Sometimes, for example, students might appropriately be transported to off-campus environments for activities such as job training programs, recreational programs, or for additional skill training in the community. In other instances, a student may not be able to receive an appropriate education on a regular campus.

Removal outside control of the placement process

There are instances in which a student is removed from the regular classroom or campus because of factors outside the realm of the ARD committee process. These factors include the following.

- The nature and severity of the handicap is such that the student cannot be physically moved from his/her residence. In such a case, a physician would certify in writing that it is unsafe to transport the student. Educational services would be provided where the student resides.

- The special education student is an incarcerated youth.

- The student's placement by the parents for noneducational treatment requires that the student be removed from a regular campus to receive the treatment before returning to a less restrictive environment.

4. ***Are provisions made for the student with handicaps to participate in nonacademic and extracurricular activities with nonhandicapped students?*** See Question 4 *Guidelines*

Students with handicaps participating with students without handicaps in various situations and activities gives all students a chance to get to develop friendships, and establish positive social relationships. To facilitate this interaction, the following are suggestions to consider:

- Encourage secondary guidance counselors to explore career opportunities and post-secondary education with students with handicaps.

- Have high expectations. Assume that all students will participate in the same activities, i.e., changing classes, having lockers, lunch, playground, waiting for the bus. Provide the necessary supports or teach the required skills that will make these activities possible.

- Avoid references to, and language about, students with disabilities that might set them apart from the rest of the class (e.g., references to "our CP kids" or using nicknames for students with disabilities but not for others).

- Ensure that students are of comparable chronological age. Comparable age refers to the age range of regular education students on the campus the student would attend if not handicapped. For students 17 years or older in an off-campus functional skills program, interaction with young adults in the community may be appropriate. For preschool children with handicaps, interaction with regular kindergarten or first-grade students may be appropriate as well as with children in day care or nursery school programs.

- Even students in a segregated classroom or in a separate facility (including state schools for the mentally retarded and intermediate care facilities for the mentally retarded) should be provided opportunities for intermingling, based on the needs of individual students.

- Allow the frequency of contact, as well as the duration of contact to be long enough to develop friendships and positive social relationships. Sustained interaction is one of the best ways to counter negative attitudes toward students with handicaps.

- Provide supports and interventions when students are intermingling.

- Use positive reinforcement (e.g., praise) to strengthen acceptable behaviors exhibited.

- Adapt interactive activities to minimize the effect of the handicapping condition. For example, playground games could be chosen or modified so that all students can successfully participate.

- Structure social integration in the classroom through planned activities (e.g., role playing, biographical interviews, group projects).

- Modify or adapt nonacademic or extracurricular activities and services so that students with handicaps can meet the standards of the activities. Such modifications can be incorporated into the student's IEP. For example, the drama club might accommodate a student's memory limitations by giving the student a non-speaking part. The club might also give a student a tape of the script to accommodate a reading disability. A club might need to move its meeting site from the second floor to the first floor if the second floor is not accessible to a student in a wheelchair.

- Promote interactions where there is not a large group of students with handicaps "overwhelming" the regular students. One-to-one interactions are preferable to large group situations.

- Encourage all students to participate in nonacademic and extracurricular activities by:
  - asking students if they would like to be in a club or activity, and if so, helping them get in one which is appropriate and for which they have the necessary qualifications, e.g., choir, band.
  - surveying clubs and extracurricular activity groups to determine which ones have members with handicaps. Work with the club sponsor of those clubs with only regular education students to foster participation of all students, where appropriate.
  - asking parents if there are clubs or activities they would like to suggest for their son or daughter.

- When students with severe handicaps are involved, prepare all members for the interaction as follows.

For the student with handicaps

- Place special education classrooms throughout the school to facilitate interaction.
- Encourage any suitable form of social interaction, including nonverbal forms.
- Teach vocabulary which facilitates social interaction, such as vocabulary for leisure activities, weather conditions, health comments, and social amenities.
- Model for the students with handicaps appropriate language and social skills for interacting with students without handicaps.
- Once students are able to imitate or model someone else, teach students to *initiate* communication.
- Teach students to interact with other students as well as with adults.
- Integrate natural consequences of socially inappropriate behavior into the student's program; that is, let students' responses help correct inappropriate behavior. A bear hug as a greeting might be accepted in a segregated campus by other students and staff, but students without handicaps may respond negatively to such a greeting.
- Use cooperative activities (that is, give the group a common goal and encourage everyone to work together to reach the goal), rather than competitive or individual activities, to promote positive interactions.
- Use "peer buddy" systems in which students without handicaps volunteer to eat lunch with or act as companions during recreational/leisure activities with "special" friends.

For the student without handicaps

- Provide information about students with severe handicaps to reduce fear, anxiety, and general apprehension about interactions.
- Teach about handicaps and other differences among people during social studies, health, English, human relations, or other classes.
- Tell older students (age 12 +) that the student they will be meeting is handicapped; they will be more likely to interact positively.

- Give positive reinforcement to individuals who positively interact with students with handicaps.
- Make interacting with students with handicaps a positive behavior to be emulated by other students. For example, safety patrol members can help students in wheelchairs from the bus to the classroom or student council representatives can eat lunch with a "buddy" with severe handicaps.

See Question 5 *Guidelines*

5. ***In making the placement decision, has consideration been given to any potential harmful effect on the student or on the quality of services which he/she needs?***

If a student exhibits dangerous or disruptive behaviors, a more restrictive placement may be justified because of the potential for causing harm or jeopardizing the quality of services for that student or others. The ARD committee should also consider the potential harmful effect on a student if placed in a setting with students who are more severely handicapped than he/she. There may be no appropriate social or intellectual role models in the more restrictive setting.

To place a student in a more restrictive environment due to potential harmful effects, the ARD committee may want to consider:

- ensuring that the student's IEP reflects goals and objectives designed to minimize or eliminate disruptive behavior and return him or her to the less restrictive setting;
- providing additional, more intense behavioral and instructional techniques to implement the goals and objectives in the IEP; and
- providing training programs for students without handicaps to teach them how to respond to inappropriate behaviors of the student with handicaps. This can help minimize or eliminate the harmful effect when the student returns to the less restrictive setting.

Emergency removal of students for health, safety, or welfare reasons may occur according to State Board of Education rule 19 TAC 133.28. It may also occur if it is based on the district's discipline management procedures. However, an individualized behavior management plan which minimizes potential harmful effects can be in the IEP. Such a behavior management plan might include:

- the circumstances under which the student is likely to exhibit dangerous or disruptive behavior;
- intervention strategies for the teacher to use to help the student control his or her behavior and keep it from reaching a dangerous or disruptive level;
- student behaviors which would lead to progressively more restrictive placements; and
- the circumstances under which the student will be returned to progressively less restrictive placements.

6. ***Will the student's placement be in the school which he/she would attend if not handicapped?***

See Question 6 *Guidelines*

Federal and state regulations and rules require the admission, review, and dismissal (ARD) committee to develop an individual educational plan (IEP) for a student before deciding where to place that student and to identify any services required by the IEP which cannot be provided in the school the student would attend if not handicapped.

- Ideally, the ARD committee would begin placement considerations by assuming that the student will attend the chronologically age-appropriate school he/she would attend if not handicapped.

- Periodically, the district should review the configuration of the entire service delivery system so that services are provided as close as possible to students' homes.

- Most specialized services are transportable and can be provided on each campus. For example, most services for students with visual handicaps can be provided on an itinerant basis rather than at one central location. This allows the visually handicapped specialist and the regular teacher to coordinate services.

- If a shortage of related services personnel exists, the district might opt to provide related services on an itinerant basis, but would also need to consider the most efficient use of staff time.

- Services can be provided in the home school through the "generic special education classroom model." This model allows the school to serve all students, regardless of handicapping condition, living within the attendance zone of the school. For example, a local elementary school could have a teacher serve students with a variety of handicapping conditions. Students with autism and students with severe mental retardation could be served together as could students with learning disabilities and emotional disturbance. Each student would have an IEP based on his or her specific needs.

- For a student new to the district, have the ARD committee meet on the campus the student would attend if not handicapped. This will help the home campus personnel feel "ownership" for that student and encourage them to explore ways to serve the student there. It should not be assumed that a student served on a segregated campus in a prior district will be placed in the same type of setting in the new district.

Providing education and related services in the "home school" to students who do not fall within the mandated school age for students without handicaps (i.e., 0-5 and 19-21), presents school districts with a dilemma. The dilemma of integrating preschool children with handicaps is that public schools typically do not provide educational programs or day care for normally developing preschool children. Programs available for elementary-age children with handicaps (i.e., classes for same-age, normally developing peers) often do not exist for preschool children with handicaps.

Four options are recommended by the Council for Exceptional Children (CEC) for integrating handicapped and normally developing preschoolers.

- *Mainstreamed educational programs* occur in settings such as prekindergarten, kindergarten, or Head Start that include an educational program for the young children enrolled including the child with handicaps. In this type of program, the teacher or a special education consultant implements the individualized educational program (IEP). This setting is ideal for maintaining the student in the regular curriculum whenever appropriate.

- *Mainstreamed noneducational programs* take place with normally developing children in settings such as day care or nursery schools that do not typically have an educational component. The IEP is implemented in a different setting, such as a separate early intervention program at a different time of day or on different days. These mainstreamed programs primarily foster social integration and can provide respite or day care services for parents.

- *Integrated special education* or *reverse mainstreamed programs* enroll normally developing children in special education classes to foster social integration. In these programs, the normally developing children are class members but may also serve as peer models for the children with handicaps.

- *Nonintegrated special education programs located in regular elementary schools* may be considered an acceptable LRE if there are kindergarten classes in the building and social integration is provided at various times of the day. CEC feels that this is the minimum acceptable LRE option for young children with handicaps for center-based programming.

In Texas, preschool students with handicaps may now be placed on a "space available" basis in prekindergarten programs without meeting the usual eligibility criteria.

Some school districts provide services to infants (ages 0 through 2) with handicaps. Infants may be served in either a center-based or home-based program, depending on their needs for socialization with others. If available and appropriate, some of the options recommended by CEC may be applicable.

Schools face another dilemma in integrating older students who remain in school beyond the usual graduation age (i.e., students ages 19-21). The chronological-age peers of these students are typically in college, technical schools, junior colleges, or working at jobs.

- Since the goal is to allow students with handicaps opportunities to interact with students without handicaps, districts could enter into agreements with local proprietary schools or junior colleges to provide services. The agreements could be direct contracts for services or the district could place personnel at the facilities to provide instruction. The community college model has been used in Dallas, San Francisco, and Fort Dodge, Iowa.

- Districts can also provide placements in work settings. A new employment training model that has been successful with students with moderate to profound handicaps is based on the "place and train" philosophy. Students are more likely to retain what they have learned when taught the skills in the setting in which the skills naturally occur. The place and train model relies on teaching "real work skills" in "real integrated work settings" versus simulations or approximations of the skills taught in the classroom.

- Supported employment training services have been developed as a result of the place and train model. Job coaching, the newest of the supported employment services, matches the student's abilities and needs to a specific job's requirements and reinforcement system. The student is placed on the job with a coach and is trained to perform the requirements of the job. As the student becomes more proficient on the job and reaches full production without the assistance of the coach, the direct assistance from the coach fades and follow-along support begins. The job coach service promotes real work for real pay in integrated settings.

Questions for Administrators

Although state and federal laws have required since 1975 that all students with handicaps be integrated with regular education students to the maximum extent appropriate, administrative factors crucial to implementing successfully the least restrictive environment continue to emerge. Integration requires commitment, extensive planning, coordination, and cooperation between regular and special education programs and across all organizational levels within the school system. Physical, social, academic, and community integration strategies need to be considered in designing and implementing the service delivery system.

Critical questions for administrators to consider to implement successfully programs in the least restrictive environment include:

1. Is there broad-based organizational support including administrative assistance, instructional leadership, and sufficient resources?

2. Is there an appropriate service delivery system and ongoing management responsibility for integrating the students?

3. Is there a systems change strategy?

4. Is there acceptance of the LRE concept by parents and the community?

1. **Is there broad-based organizational support including administrative assistance, instructional leadership, and sufficient resources?**

Organizational support for LRE needs to come from all levels of the educational system. The superintendent, principals, special education directors, and all other special and regular education staff need to have the knowledge, commitment, and resources to ensure system-wide implementation and effectiveness of integrated programs.

Some suggestions for enhancing organizational support include the following.

- Establish a district wide task force to develop a focused integration plan.

- Include activities in the Campus Improvement Plan that implement the district's integration plan. Include special education teachers as part of the campus improvement team.

- Conduct inservice programs for regular educators on the types of services and students involved in the proposed integration effort.

- Arrange visits for regular educators to the segregated programs and vice versa.

- Locate programs in age-appropriate schools.

- Involve parents in planning and implementing integrated programs.

- Arrange for curriculum units and special orientations for the regular education students which familiarize them with disabilities.

- Make sure special education teachers are on the same schedule and calendar as the regular teachers.

- Invite and encourage attendance of special education faculty at all regular faculty meetings, grade level meetings, and social events.

- Locate special education classrooms among regular classrooms to encourage mixing of both students and their teachers.

- Involve special education teachers with regular education students through standard duty assignments as well as in leadership roles (e.g., as coaches, student council or yearbook adviser, chair of faculty committees).

- Anticipate both regular and special education teachers' needs for support, related services, or consultation, and acknowledge this need in the activities of the Campus Improvement Plan.

- Provide incentives, particularly for regular teachers who work with students with handicaps, such as:

  - When using the Texas Teacher Appraisal System, have appraisers look for certain teaching behaviors exhibited by regular teachers working with students with handicaps in mainstream classes. Some of the items that most obviously apply to teaching these students are:

    I. 1.a. (varies activities);
    I. 1.f. (appropriate level of difficulty);
    I. 2.b. (monitors student performance);
    I. 2.c. (solicits responses for assessment);
    I. 2.f. (reteaches);
    II. 4.c. (appropriate pace); and
    IV.10.b. (climate of courtesy and respect).

  - Exempting these teachers from certain routine duties, such as bus monitoring or hallway duty, to give them extra time to prepare for the student with handicaps.

- Explore the use of technology to reduce any paperwork burden. There is software available commercially that will help produce IEPs, average grades and maintain classroom grade records, track individual student progress, and provide computer assisted instruction to students. These programs can free the teacher to spend more time preparing for and working with students with handicaps.

- Provide financial support for special education. State funds allocated on a weighted basis do not totally support the special education program. State and federal funds for special education programs can be supplemented with local funds whenever possible. The availability of local money can allow for locally-created options. Funds could be used to provide a consulting special education teacher to help regular teachers develop appropriate programs for students with handicaps in regular

classes. Funds can also be used to maintain "content mastery" programs in which students report to a special teacher for help when direct instruction is not taking place in the regular classroom. Contact hours for this type of program may be counted under the resource room instructional arrangement, as long as each student's IEP contains at least some amount of *direct regularly scheduled time* in the special education program.

2. **Is there an appropriate service delivery system and ongoing management responsibility for integrating the students?**

Selecting the right service delivery system for the range of students with handicaps the district serves is a very important decision. Considerations include student needs and district resources. Delivery systems should provide services using current best practices, while remaining flexible enough to respond to emerging trends. The professional literature provides a wealth of information about service delivery systems which school administrators can draw upon. Over the past ten years, professionals across the country have demonstrated service delivery systems and instructional models that identify integrated age-appropriate school campuses as the best settings for producing high achievement in students with handicaps.

One model that has been implemented in Texas is called Content Mastery (CM). It has been successful in keeping students in regular classes. In this approach, mainstream teachers are responsible for direct content area instruction to all students in their classrooms. The special education teacher becomes a CM consultant to the mainstream teacher. The teachers together match the demands of the mainstream instruction with the skills and abilities of individual students. The CM teacher may provide adaptive strategies that bypass the students' disabilities and still teach and assess the content. These strategies include highlighting classroom texts, adapting tests, teaching study skills, and providing audio tapes of content materials.

The CM approach places a high degree of responsibility on students for their own remediation. The student may leave the regular classroom and go to the Content Mastery Center (CMC) when independent student work is going on, or the teacher may initiate the need to go to the CMC. If a student is experiencing academic difficulty in understanding a concept or in guided practice, the teacher may ask the child to go to the Center. Students may not leave during direct instruction or class discussion. The mainstream teacher gives the student a special pass. At the CMC, the student signs in and begins work on regular classwork under the direction of the CM teacher or an aide.

Service delivery systems for students with handicaps need to encompass physical, social, academic, and community integration. They need to take into account such factors as transportation, location of special classes in the school, and range of school and community environments in which the child's education occurs. Opportunities for age appropriate contact and interactions with students without handicaps and active participation in other specialized programs need to be provided.

Historically, students with severe or multiple handicaps have often been segregated for school services. Some professionals and parents believe that these students are best served in separate schools. However, the professional literature and many public school programs across the country are questioning the belief that "separate is best."

Entrance into a sheltered workshop or work activity center is no longer the only or preferred outcome of educational programming for students with severe handicaps. Using current instructional technologies, teachers can prepare students thought to be unemployable to work in integrated competitive environments. A key component for the success of this type of program is the amount of training the student receives in the integrated work setting. The integrated setting is important for several reasons.

- It is a better guarantee that students will be able to use the skills in the "real world." Students with severe handicaps have a difficult time learning; they are better prepared if they learn behaviors and skills in the settings in which they naturally occur.

- It is very difficult for teachers to account for all the cues and corrections in simulated separate settings that naturally occur within integrated settings.

- It allows students an opportunity to learn to work cooperatively, providing a model for future interactions as employers, co-workers, and citizens.

In 1982, the School District of Philadelphia agreed to place 533 students with severe disabilities in age-appropriate classes within regular elementary, junior high, and senior high schools (McGregor, et al, 1986). Philadelphia's Urban Model Project (UMP) for a Quality Educational Service System for Severely Handicapped Children committed the school district to develop a service system that:

- focuses on the development of functional skills and behaviors;

- serves each student in the least restrictive environment and in the least restrictive manner possible;

- provides age-appropriate educational activities that are conducted in age-appropriate settings;

- provides individualized programs for each student;

- bases the educational decisions made for each student on valid and reliable data;

- incorporates current instructional best practices into its ongoing programs;

- encourages and supports active parent participation;

- utilizes a transdisciplinary or integrated approach to the delivery of related services to each student; and

- provides for the continued training of administrative, supervisory, instructional, and related services staff members (McGregor, et al, 1986).

This project was highly successful and the practices it established are being used with other groups of students.

3. **Is there a systems change strategy?**

A change in any established system requires careful planning, extensive staff development, and effective strategies to implement the change. The staff development program can include school personnel at all levels as well as parent and community involvement. District administrators can facilitate integration strategies by helping school-level administrators and staff handle problems or resistance.

As described by Biklen (1985), successful system change includes the following components:

1. An integration task force with specific goals and timetables.

2. A midlevel administrator, faculty member, or consultant with primary responsibilities to coordinate integration efforts.

3. A comprehensive needs assessment of receptivity of staff, building accessibility, proximity of programs, and service delivery systems.

4. Definite goals and timelines for implementation of the integration plan.

5. A comprehensive staff and community development/inservice plan based on a needs assessment of regular and special instructional, supervisory, and administrative staff.

6. Open communication between regular and special education staff regarding integration efforts.

4. **Is there acceptance of the LRE concept by parents and the community?**

It is crucial to address the fears and concerns of parents of students previously placed in segregated settings and the parents of regular and special education students currently receiving services in the regular school setting. While some parental fears of integration are to be expected, many of these will dissipate as quality integrated programs are implemented.

Parental support for integration can be gained through carefully planned strategies. A summary of strategies designed to foster parental support of integration that have been reported in the literature include the following.

1. Arrange parent visits to regular schools prior to integration.

2. Make presentations at parent groups.

3. Include parents in planning task forces.

4. Invite parents to volunteer in classrooms or help out on integrated field trips.

5. Encourage parents of students with severe handicaps to join and participate in the regular parent-teacher organization.

6. Describe and promote integration efforts in school newsletters and annual reports.

The community will also need information to add support to and fully accept the integration effort. Newspapers can publish success stories about students in community employment or "buddy" systems. If local businesses are made aware of the special needs of the students who will be frequenting their establishments, they can be better prepared to serve them. For example, a local fast food restaurant owner can be told about special techniques that students with severe disabilities might use when ordering food. The counter help would then be able to respond appropriately if, for example, non-speaking students present picture cards of their order. If neighborhood youth organizations such as the YMCA/YWCA are given information about specific handicapping conditions and the modifications needed in order for students to participate in their programs, it is more likely that integration activities will succeed.

Administrators implementing the LRE concept will need to address the four questions discussed in this section. Undoubtedly there will be other problems, issues, and concerns that arise. There is a great deal of information to be found in the literature and to be shared by school districts as they develop and implement programs based on the LRE concept.

Bibliography

Biklen, D. (1985). *Achieving the Complete School: Strategies for Effective Mainstreaming.* New York : Teachers College Press.

Certo, N., Haring, N., & York, R. (1984). *Public School Integration of Severely Handicapped Students.* Baltimore: Paul H. Brooks.

Ferguson, D.L., Ferguson, P.M., & Bogdan, R.C. (1987). "If Mainstreaming is the Answer, What is the Question?" in Richardon-Koehler, V. (ed.) *Educator's Handbook: A Research Perspective.* New York: Longman.

McGregor, G., Janssen, C. M., Larsen, L. A., & Tillery, W. L. (1986). Philadelphia's Urban Model Project: A System-Wide Effort to Integrate Students with Severe Handicaps. *Journal of the Association for Persons with Severe Handicaps, II,* 61-67.

State Board of Education and the Texas Education Agency. (1987). *Implementing Education Reform.* Austin: Texas Education Agency.

Stetson, F. (1979). *Critical Administrative Factors Which Facilitate the Successful Inclusion of Severely Handicapped Students in the Least Restrictive Environment.* Annandale, VA: J.W.K. International Corporation.

U.S. Department of Education. (1987). *Ninth Annual Report to Congress on the Implementation of the Education of the Handicapped Act.* Washington DC: U.S. Department of Education.

Van Bourgondien, M. E. (1987). Children's Responses to Retarded Peers as a Function of Social Behaviors, Labeling and Age. *Exceptional Children, 53*(5), 432-439.

Wang, M. C., & Birch, J. W. (1984). Effective Special Education in Regular Classes. *Exceptional Children, 50*(5), 391-398.

COMPLIANCE STATEMENT

TITLE VI, CIVIL RIGHTS ACT OF 1964; THE MODIFIED COURT ORDER, CIVIL ACTION 5281, FEDERAL DISTRICT COURT, EASTERN DISTRICT OF TEXAS, TYLER DIVISION

Reviews of local education agencies pertaining to compliance with Title VI Civil Rights Act of 1964 and with specific requirements of the Modified Court Order, Civil Action No. 5281, Federal District Court, Eastern District of Texas, Tyler Division are conducted periodically by staff representatives of the Texas Education Agency. These reviews cover at least the following policies and practices:

(1) acceptance policies on student transfers from other school districts;

(2) operation of school bus routes or runs on a non-segregated basis;

(3) nondiscrimination in extracurricular activities and the use of school facilities;

(4) nondiscriminatory practices in the hiring, assigning, promoting, paying, demoting, reassigning, or dismissing of faculty and staff members who work with children;

(5) enrollment and assignment of students without discrimination on the basis of race, color, or national origin;

(6) nondiscriminatory practices relating to the use of a student's first language; and

(7) evidence of published procedures for hearing complaints and grievances.

In addition to conducting reviews, the Texas Education Agency staff representatives check complaints of discrimination made by a citizen or citizens residing in a school district where it is alleged discriminatory practices have occurred or are occurring.

Where a violation of Title VI of the Civil Rights Act is found, the findings are reported to the Office for Civil Rights, U.S. Department of Education.

If there is a direct violation of the Court Order in Civil Action No. 5281 that cannot be cleared through negotiation, the sanctions required by the Court Order are applied.

TITLE VII, CIVIL RIGHTS ACT OF 1964; EXECUTIVE ORDERS 11246 AND 11375; TITLE IX, 1973 EDUCATION AMENDMENTS; REHABILITATION ACT OF 1973 AS AMENDED; 1974 AMENDMENTS TO THE WAGE-HOUR LAW EXPANDING THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967; AND VIETNAM ERA VETERANS READJUSTMENT ASSISTANCE ACT OF 1972 AS AMENDED IN 1974.

It is the policy of the Texas Education Agency to comply fully with the nondiscrimination provisions of all federal and state laws and regulations by assuring that no person shall be excluded from consideration for recruitment, selection, appointment, training, promotion, retention, or any other personnel action, or be denied any benefits or participation in any programs or activities which it operates on the grounds of race, religion, color, national origin, sex, handicap, age, or veteran status (except where age, sex, or handicap constitute a bona fide occupational qualification necessary to proper and efficient administration). The Texas Education Agency makes positive efforts to employ and advance in employment all protected groups.

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